

EXHIBIT 5



**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
(Corpus Christi Division)**

**ENTERED
05/12/2008**

In re

ASARCO, LLC, et al.

Debtors

§
§
§
§
§

Case No. 05-21207

Chapter 11

Jointly Administered

**ORDER APPROVING SETTLEMENT AGREEMENT AFTER PUBLIC
COMMENT FOR THE SOUTHEAST MISSOURI (SEMO) SITES**

Upon consideration of the Motion for Order Approving Settlement Agreement Among ASARCO LLC, The United States, The State of Missouri, The Doe Run Company, and DR Land Holdings LLC Regarding the Southeast Missouri (SEMO) Sites (Docket No. 7070) (the “Motion”); and it appearing that the Court has jurisdiction over this matter; and it appearing that due notice of the Motion has been provided as set forth in the Motion, and that no other or further notice need be provided; and it appearing that the only response filed to the Motion was the objection (Docket No. 7234) filed by ASARCO Incorporated (the “Parent”), which the Parent has now withdrawn (Docket No. 7574); and upon consideration of the United States’ Notice of Response to Public Comments on the Southeast Missouri (SEMO) Sites Settlement; and it further appearing that the relief requested in the Motion is in the best interests of the Debtor and its estate and creditors; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefore; it is

ORDERED that the Settlement Agreement among ASARCO, LLC (“Asarco”), the United States of America, and the State of Missouri, Doe Run Resources Corporation d/b/a The Doe Run Company, and DR Land Holdings LLC, as set forth in Exhibit A to the Motion, is

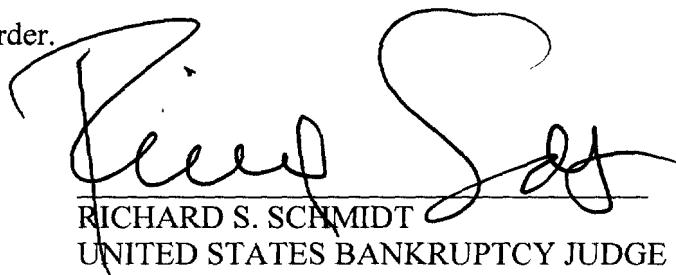
APPROVED with the following clarification consistent with the United States' Notice of Response to Public Comments on the Southeast Missouri (SEMO) Sites Settlement: (i) the first whereas clause is clarified such that the definition of the SEMO Sites does not include the Viburnum Trend Haul Roads Site;

ORDERED that the Court **APPROVES** the Settlement Agreement as clarified as fair, reasonable, and consistent with environmental law;

ORDERED that Asarco is authorized to enter into and implement the Settlement Agreement; and it is further

ORDERED that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: 12 May 08



A handwritten signature in black ink, appearing to read "Rich S. Schmidt".

RICHARD S. SCHMIDT
UNITED STATES BANKRUPTCY JUDGE